

Notice of Allowability

Application No.

09/991,409

Examiner

Brian J. Gillis

Applicant(s)

PARK, MIN YOUNG

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment after Non-Final filed May 29, 2007.
2. ☒ The allowed claim(s) is/are 1,2,5,6,11,12,14,15,17 and 18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 07162007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JASON CARDONE
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

This action is responsive to the Amendment after Non-Final filed May 29, 2007.

Claims 1, 2, 5, 6, 11-15, 17, and 18 were pending. *Claims 1, 2, 5, 6, 11, 12, 14, 15, 17, and 18 are allowed.*

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard Salfelder on July 10, 2007.

The application has been amended as follows:

1. An apparatus for initializing a cable modem comprising:
 - a tuner unit adapted to receive, tune and output a plurality of downstream signals received from a cable modem termination system and to receive, tune and output a plurality of upstream signals to the cable modem termination system;
 - a downstream unit adapted to demodulate the downstream signals from the tuner unit and separate general data from a media access control (MAC) management message;
 - a message processor adapted to detect name information and version information of a configuration file for initializing the cable modem and

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manufacturing automation protocol (MAP) information according to the MAC management message input from the downstream unit;

a CPU adapted to control the message processor; and

an upstream unit adapted to generate and modulate the upstream signal according to the MAP information detected by the message processor,

wherein the CPU compares the name information of the configuration file for initializing the cable modem to name information of a configuration file previously stored in a memory, downloads the configuration file for initializing the cable modem if the name information of the configuration file for initializing the cable modem and the name information of the previously stored configuration file are different, compares the version information of the configuration file for initializing the cable modem to version information of the previously stored configuration file only if the name information of the configuration file for initializing the cable modem is identical to the name information of the previously stored configuration file, downloads the configuration file for initializing the cable modem if the version information of the configuration file for initializing the cable modem is more recent than the version information of the previously stored configuration file, and reads the previously stored configuration file and initializes the cable modem based on the previously stored configuration file when the version information of the configuration file for initializing the cable modem is identical to the version information of the previously stored configuration file ~~and initializes the cable modem based on the previously stored configuration file.~~

11. A method for initializing a cable modem, the method comprising:
 - registering information related to a detected configuration file in a dynamic host configuration protocol (DHCP) server;
 - receiving the information related to the detected configuration file registered in the DHCP server;
 - comparing name information related to the detected configuration file with name information related to a previously stored configuration file;
 - downloading the detected configuration file if the name information related to the detected configuration file and the name information related to the previously stored configuration file are different;
 - comparing version information related to the detected configuration file with version information related to the previously stored configuration file only if the name information of the detected configuration file is identical to the name information related to the previously stored configuration file; and
 - downloading the detected configuration file if the version information related to the detected configuration file is more recent than the version information related to the previously stored configuration file; and
 - reading the previously stored configuration file, registering the cable modem using the previously stored configuration file and initializing the cable modem based on the previously stored configuration file when both the name information related to the detected configuration file is identical to the name information related to the previously stored configuration file and the version

information related to the detected configuration file is identical to the version information related to the previously stored configuration file.

13. (Canceled)

14. The method of claim ~~13~~11, further comprising:
performing a registration process of the cable modem by using the previously stored configuration file if the version information of the detected configuration file is the same as the version information of the previously stored configuration file.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach neither singly nor in combination, the claimed limitations of "wherein the CPU compares the name information of the configuration file for initializing the cable modem to name information of a configuration file previously stored in a memory, downloads the configuration file for initializing the cable modem if the name information of the configuration file for initializing the cable modem and the name information of the previously stored configuration file are different, compares the version information of the configuration file for initializing the cable modem to version information of the previously stored configuration file only if the name information of the configuration file for initializing the cable modem is identical to the name information of the previously stored configuration file, downloads the configuration file for initializing the cable modem if the version information of the configuration file for initializing the cable modem is more recent than the version information of the previously stored

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configuration file, and reads the previously stored configuration file and initializes the cable modem based on the previously stored configuration file when the version information of the configuration file for initializing the cable modem is identical to the version information of the previously stored configuration file." as stated in claim 1 and similarly stated in claims 11 and 17. These limitations, in conjunction with other limitations in the independent claims, are not specifically disclosed or remotely suggested in the prior art of record. A review of claims 1, 2, 5, 6, 11, 12, 14, 15 17, and 18 indicated claims 1, 2, 5, 6, 11, 12, 14, 15 17, and 18 are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Gillis whose telephone number is 571-272-7952. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

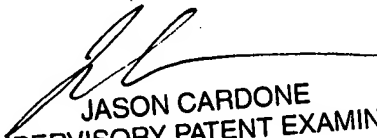
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brian J Gillis
Examiner
Art Unit 2141

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7/16/2007


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